



US Army Corps  
of Engineers®

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# Public Notice

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Public Notice No. 03-91

Date: December 3, 2003

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Nashville District

Application No. 4282900 (Atofina Site and Morrisroe Site)

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Please address all comments to:

Nashville District Corps of Engineers, Regulatory Branch  
3701 Bell Road, Nashville, TN 37214 (Attn: Lisa Morris)  
Telephone 615/369-7504 Fax 615/369-7501

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## JOINT PUBLIC NOTICE US ARMY CORPS OF ENGINEERS TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Additional Fleeting in Two Locations for the Calvert City Terminal

TO ALL CONCERNED: The project described below has been submitted for a Department of the Army (DA) Permit pursuant to **Section 10 of the 1899 Rivers and Harbors Act** and approval from the Tennessee Valley Authority (TVA) pursuant to **Section 26a of the TVA Act**.

APPLICANT: Calvert City Terminal, LLC (Southern Coal Handling)  
5044 Industrial Parkway  
Calvert City, KY 42029

AGENT: Cornette Engineering Services, Inc.  
2850 North Main Street  
Madisonville, KY 42431

LOCATIONS: (1) Tennessee River Mile (TRM) 14.5, left bank, (Atofina Chemicals Site - empty barge fleeting); and (2) TRM 12.6 to 13.7, right bank, (Morrisroe Site - loaded and empty barge fleeting), Marshall County, KY. USGS Map: Little Cypress-KY, lat: 37-03-15 lon: 88-23-16. See Exhibit A, Location Map, and Exhibit B, Navigation Chart No. 3. TVA RLR No. 121552.

BACKGROUND: In 2002, DA and TVA permits were issued to Bailey Port, Inc. (subsequently transferred to Southern Coal Handling, Inc.) for a coal loading barge facility (TRM 14.2 to 14.4, left bank) with fleeting of the loaded and empty barges across from the terminal (TRM 13.7 to 15.2, right bank). Public Notice (PN) 02-03, dated January 31, 2002, advertised the work. On February 18, 2003, PN 03-12 advertised additional fleeting for the terminal, for 40 fully loaded barges @ 4 barges wide, upstream and adjacent to the terminal, along 2,220 feet of Atofina Chemicals river frontage (TRM 14.5 to 14.8, left bank). That application was withdrawn and replaced with the following:

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**DESCRIPTION OF PROPOSED WORK:** At this time, CCT proposes two fleeting areas.

(1) Atofina Chemicals Site. The proposal involves commercial barge fleeting for empty barges directly adjacent the existing barge loading area of the terminal (TRM 14.5L). CCT would lease about 300 feet of river frontage from the property owner to install two (10' x 10' concrete) deadman anchors in the riverbank to allow for fleeting of 8 barges consisting of 2 groups @ 4 barges wide, as shown on Exhibit F. According to plans, and different as proposed in PN 03-12, the empty barges would fleet out from the river bank where there is a minimum of five feet of water depths between the barges and river bottom. No dredging would be required. The fleet would extend about 200' from the riverbank. The scope of work for this action is the affected riverbank and the associated fleeting area.

(2) Morrisroe Site. The proposal involves commercial barge fleeting for loaded and empty barges on the opposite riverbank from the existing terminal (TRM 126.6R to 13.7R). CCT would lease about 1.1 miles of river frontage from the property owner to install fifteen (10' x 10' concrete) deadman anchors in the riverbank to allow for fleeting of 100 barges consisting of 5 groups of 20 barges each with 50' to 200' separation between groups. Each group would consist of 4 barges wide by 5 barges long, as shown on Exhibits C, D, and E. According to plans, the empty and loaded barges would fleet out from the riverbank where there is a minimum of five feet of water depths between the barges and the river bottom. No dredging would be required. The fleets would extend between 190' to 265' from the riverbank. The scope of work for this action is the affected riverbank and the associated fleeting area.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources.

The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers (CE) is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will

be considered by the CE to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on

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endangered species, historical properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

With cooperation from the CE, TVA will prepare an EA prior to a final decision concerning issuance or denial of the requested permits.

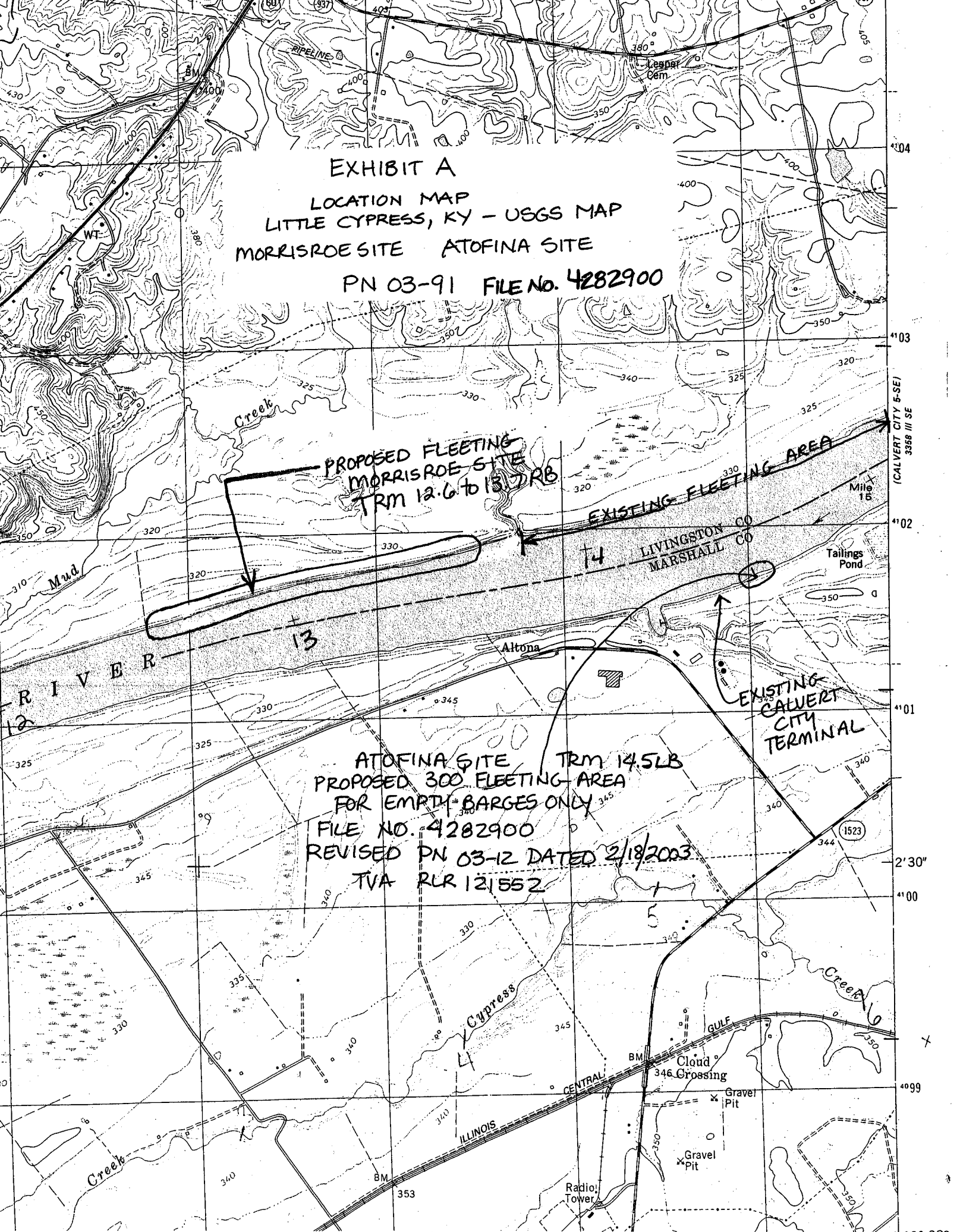
**Cultural Review:** No archaeological resources were revealed in the 2002 cultural survey conducted for the CCT terminal property (TRM 14.2L to 14.4L) and its right bank fleeing areas (TRM 13.7R to 15.2R). The National Register of Historic Places has been consulted for this action and no properties listed or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resource investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the state historic preservation officer and the US Department of the Interior, National Park Service, Interagency Archaeological Services-Atlanta.

**Fish and Wildlife:** Mainstream Commercial Divers, Inc. recently conducted mussel surveys for both fleeing areas under review. Mussel beds were found in the substrate in both areas of proposed fleeing; however no federally-listed or state-listed threatened, or endangered species were found during sampling. The CE and TVA have reviewed and concur with the findings. Copies of the surveys have been forwarded to the US Fish and Wildlife Service (USFWS) and interested agencies for their review. Based upon available information, the proposed work would not destroy or endanger any federally-listed, threatened, or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the USFWS is not planned at this time.

Other federal, state, and/or local approvals may be required for the proposed work.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Written statements received in this office on or before **January 5, 2004**, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Lisa R. Morris, at the above address, telephone (615) 369-7504. All comments received will be provided to TVA. If you wish to send comments to TVA they should be directed to Ms. Rachel Terrell at P.O. Box 280, Paris, TN 38242-4061.

EXHIBIT A  
LOCATION MAP  
LITTLE CYPRESS, KY - USGS MAP  
MORRISROE SITE ATOFINA SITE  
PN 03-91 FILE NO. 4282900



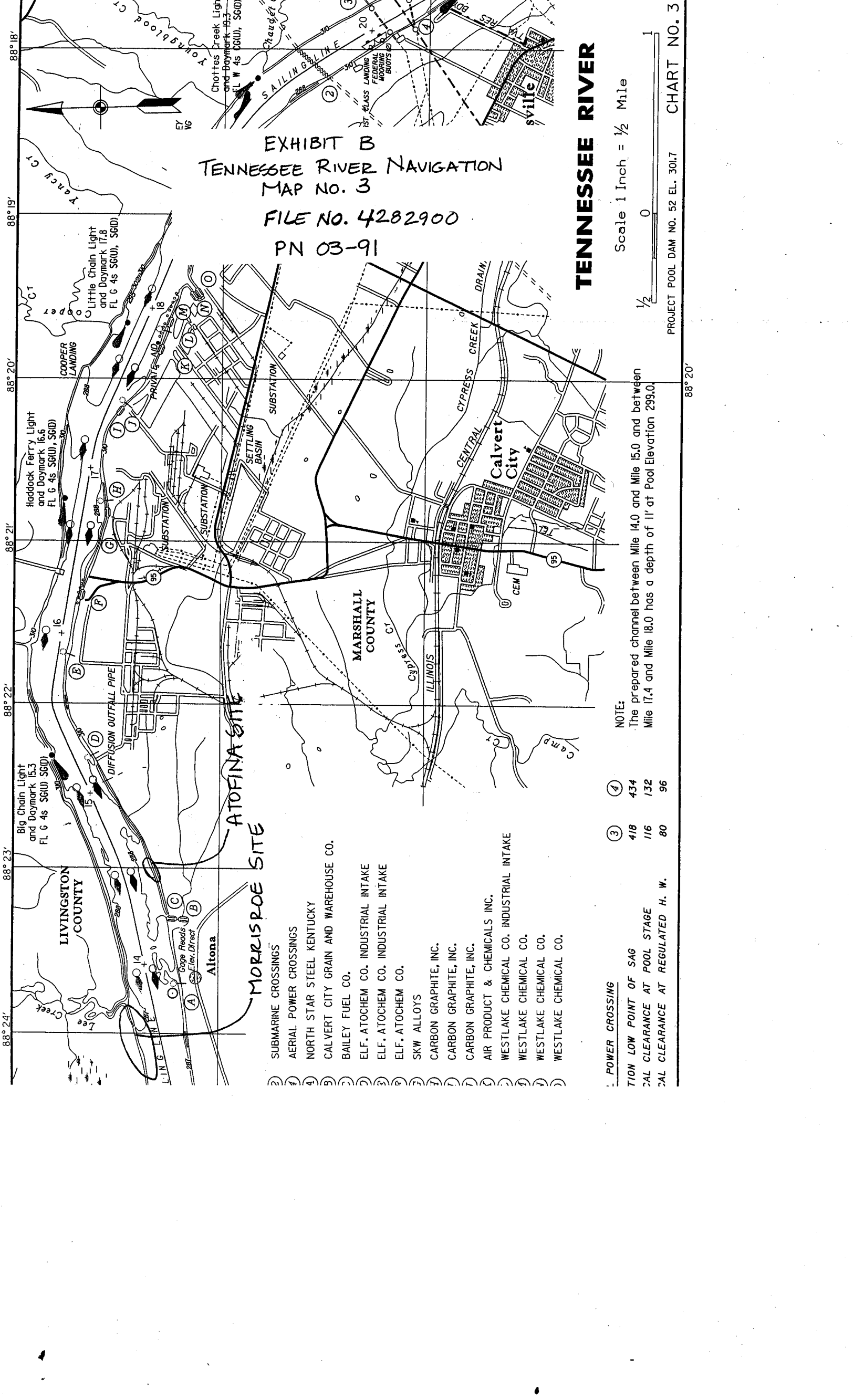


EXHIBIT B  
TENNESSEE RIVER NAVIGATION  
MAP NO. 3

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TENNESSEE RIVER

Scale 1 Inch = 1/2 Mile

PROJECT POOL DAM NO. 52 EL. 301.7

CHART NO. 3

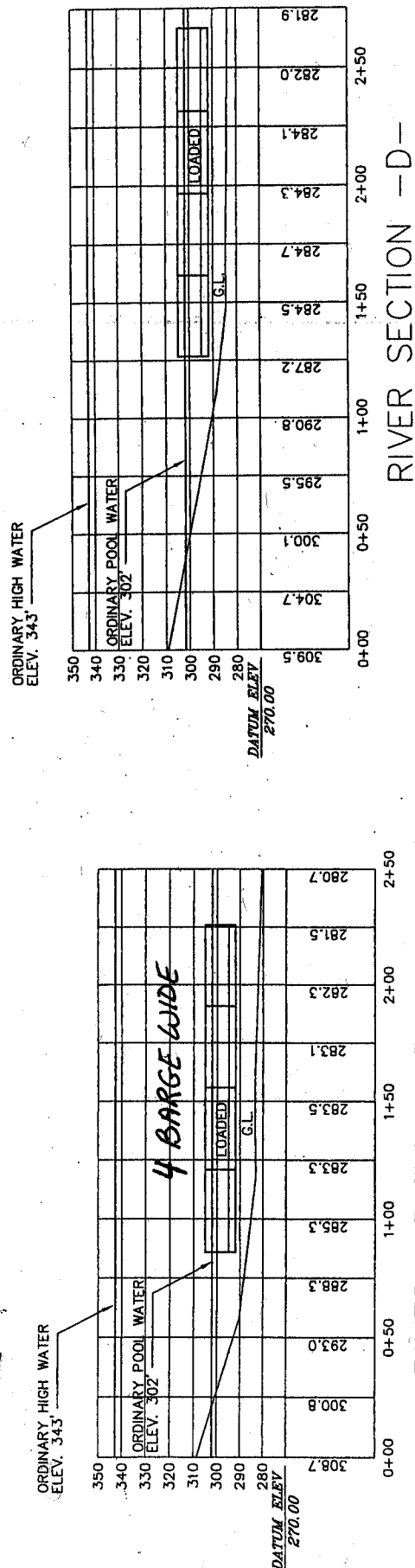
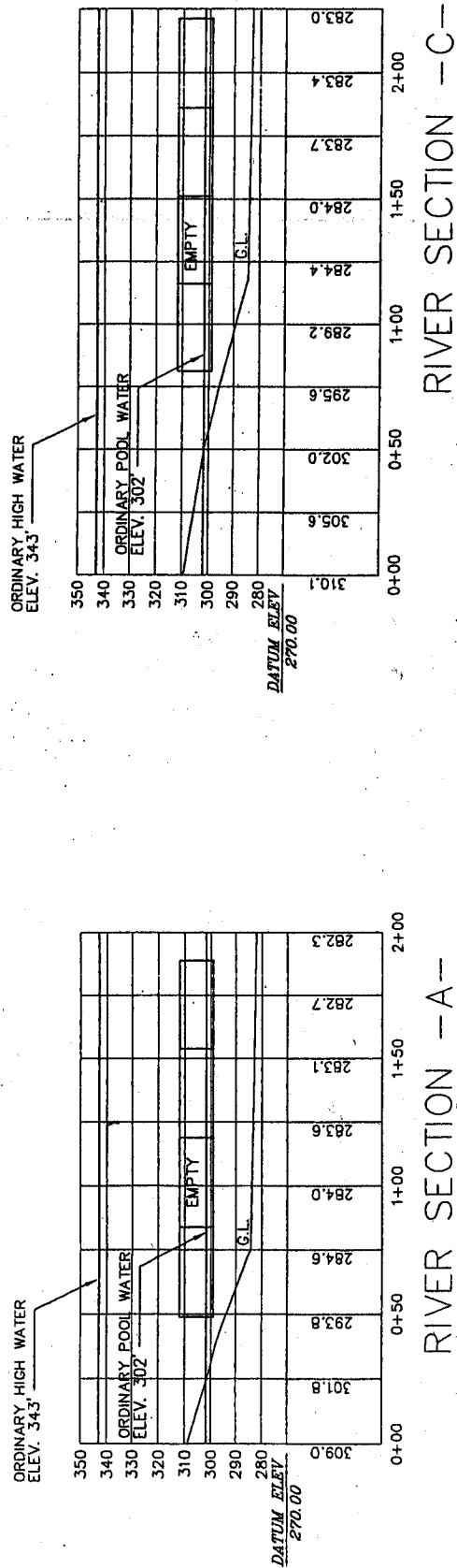
NOTE:

The prepared channel between Mile 14.0 and Mile 15.0 and between Mile 17.4 and Mile 18.0 has a depth of 11' at Pool Elevation 299.0.

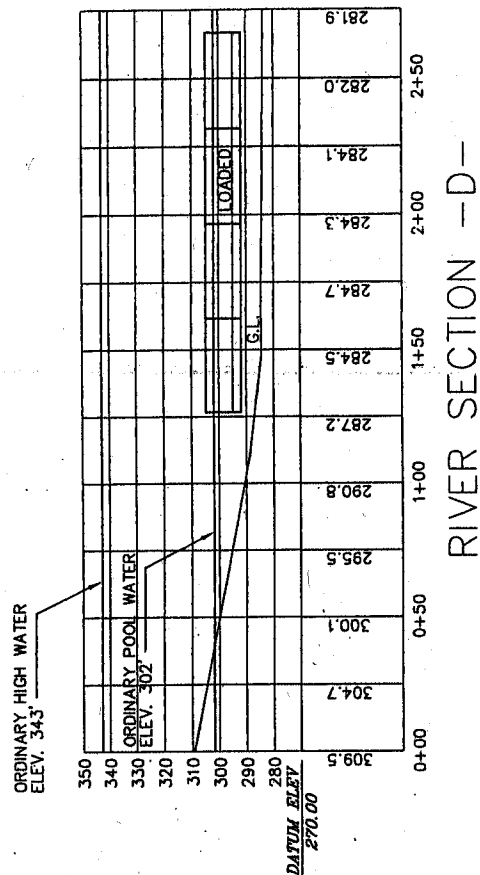
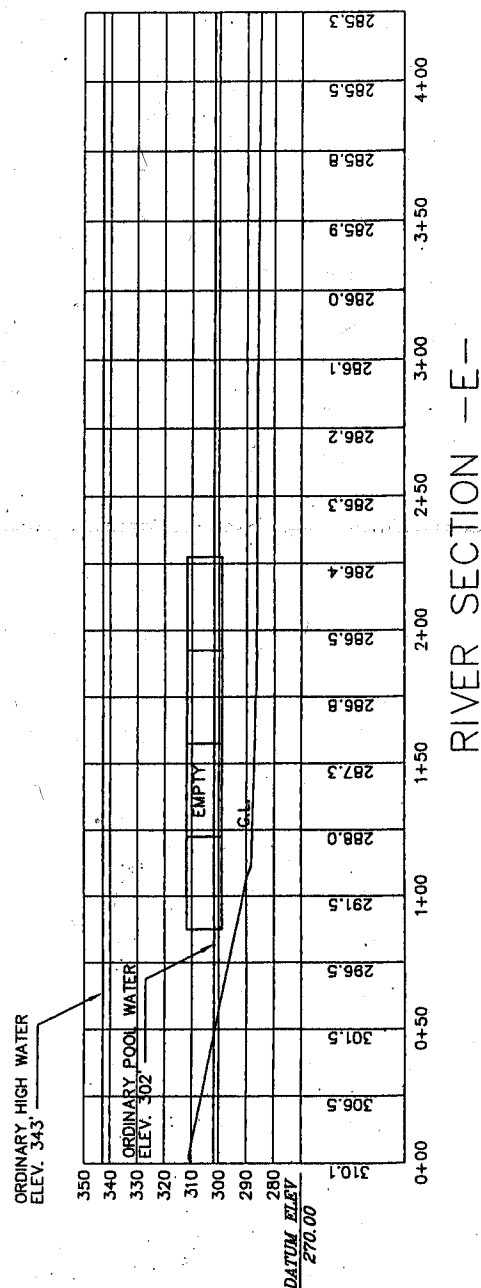
POWER CROSSING	LOW POINT OF SAG	CLEARANCE AT POOL STAGE	CLEARANCE AT REGULATED H. W.
1	418	116	80
2	434	132	96

- 2 SUBMARINE CROSSINGS
- 1 AERIAL POWER CROSSINGS
- 3 NORTH STAR STEEL KENTUCKY
- 3 CALVERT CITY GRAIN AND WAREHOUSE CO.
- 2 BAILEY FUEL CO.
- 2 ELF. ATOCHEM CO. INDUSTRIAL INTAKE
- 3 ELF. ATOCHEM CO. INDUSTRIAL INTAKE
- 5 ELF. ATOCHEM CO.
- 3 SKW ALLOYS
- 7 CARBON GRAPHITE, INC.
- 7 CARBON GRAPHITE, INC.
- 7 CARBON GRAPHITE, INC.
- 5 AIR PRODUCT & CHEMICALS INC.
- 2 WESTLAKE CHEMICAL CO. INDUSTRIAL INTAKE
- 1 WESTLAKE CHEMICAL CO.
- 1 WESTLAKE CHEMICAL CO.
- 1 WESTLAKE CHEMICAL CO.





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EXHIBIT D  
MORRISROE SITE  
TRM 12.6 to 13.7 RB  
FILE NO. 4282900



RIVER SECTION --E--

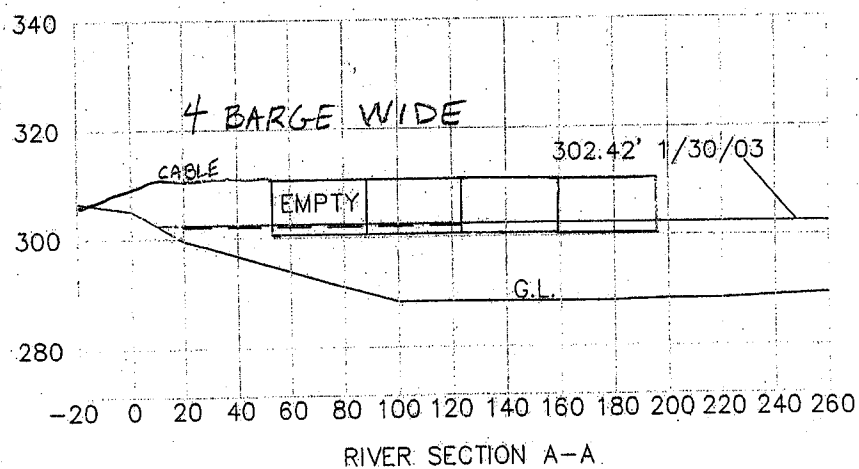
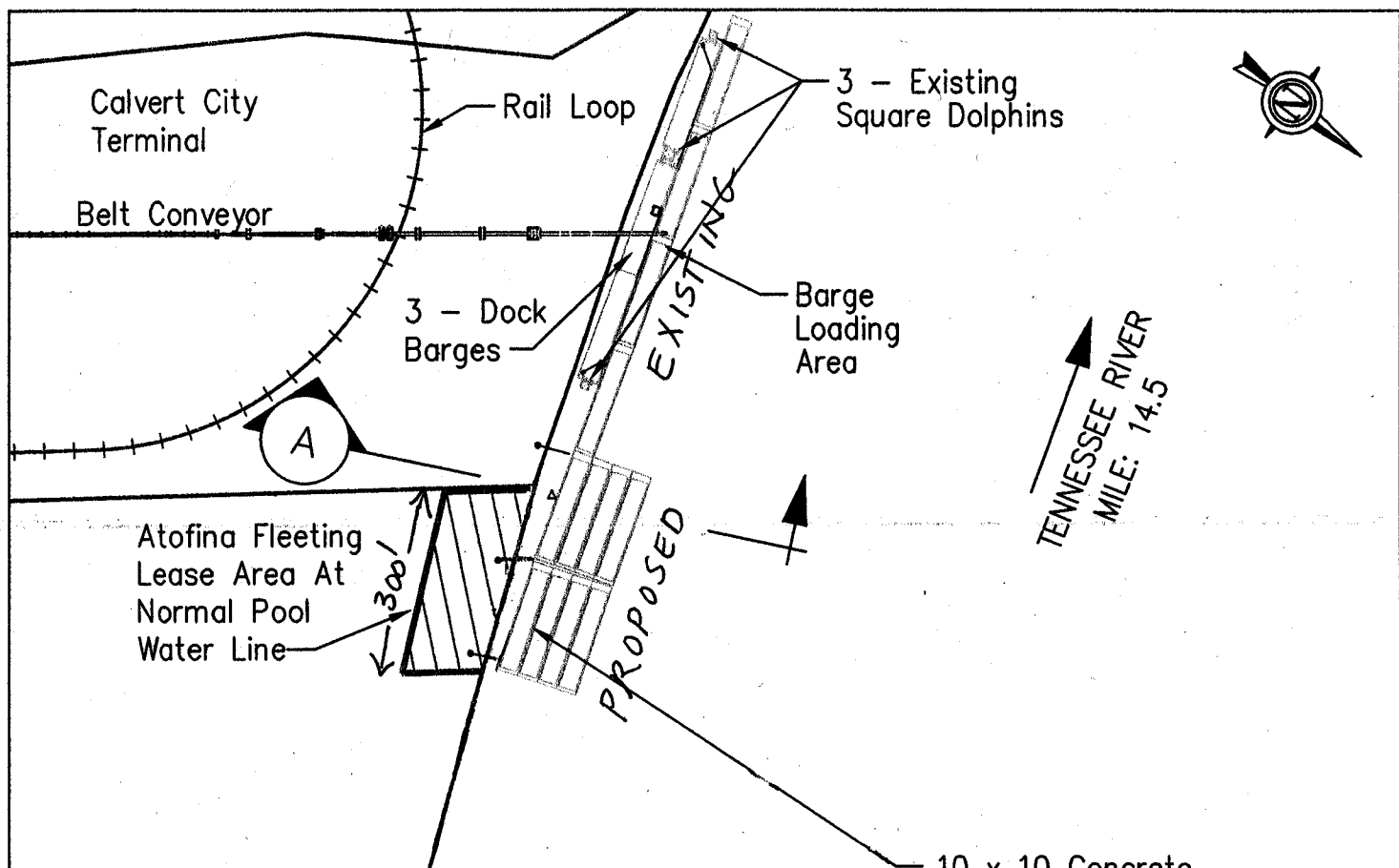


EXHIBIT E  
FILE NO. 4282900  
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ATOFINA SITE, TRM 14.5L

EMPTY BARGE FLEETING ARRANGEMENT  
ATOFINA CHEMICALS INC.  
CALVERT CITY TERMINAL

OCT, LLC. 11-18-03 CALVERT CITY KY



DATE OF DRAWING  
11/18/03

DATE OF DRAWING  
11/18/03

1118-9-G03



Heavy Deadman Anchors

FOR MORRISROE & ATOFINA SITES

Steel

Heavy Section 14" WF beam - 10 lengths

Rounded and trimmed at one end

2" hole in web, 3" from top

1 1/2" gusset plate 13"x36" fitted and welded in web w/matching hole.

8" beam x 3", each side, welded to web of 14" beam

8" beam x 5' welded at bottom

19-20 yds. 3000 psi concrete

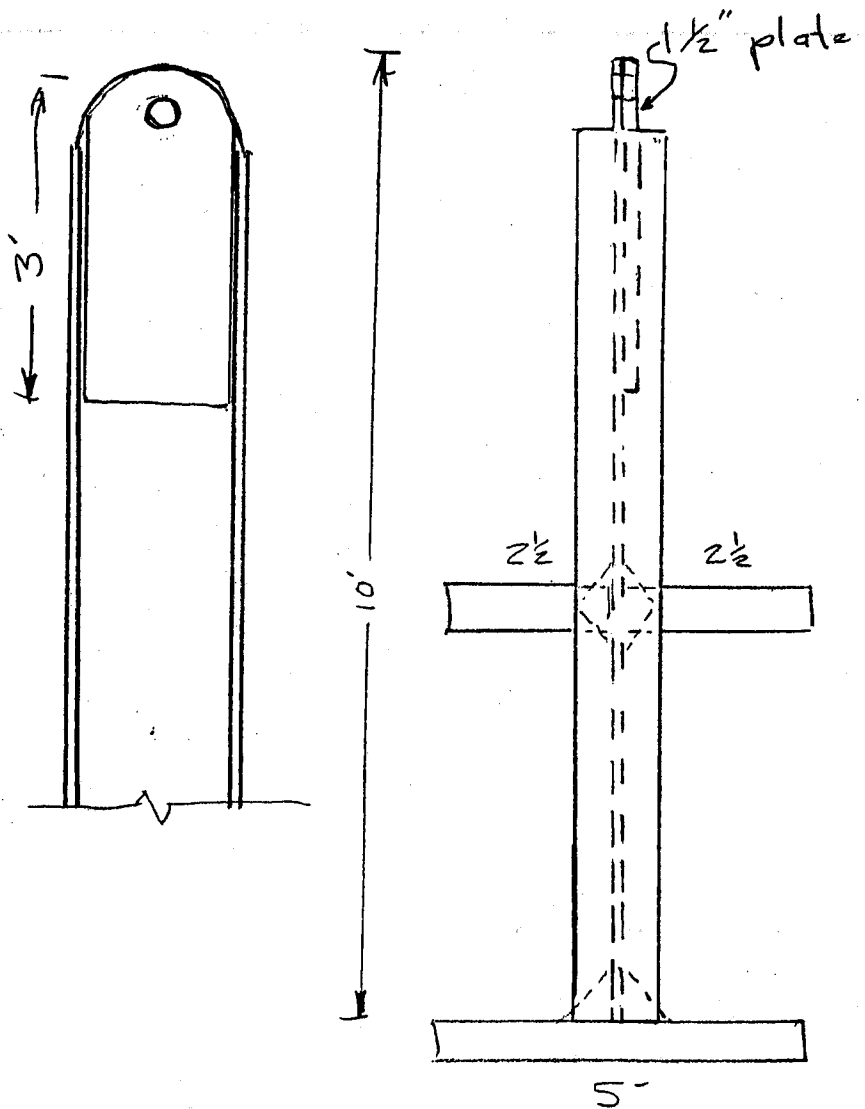


EXHIBIT F  
Calvert City Terminal, LLC  
Typical Deadman Anchor  
August 20, 2003  
FILE NO. 4282900

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